

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
HUGHROY THOMAS, BRONX)	EB-04-IH-0282
COMMUNICATIONS, THOMAS)	
ELECTRONICS, V I MOBILE)	
COMMUNICATIONS, CASTILLO)	
COMMUNICATIONS, DELTA)	
COMMUNICATION, PAGE COMM,)	
DOUGLAS POMPEI, DON BRIDGEMAN,)	
JAYS JEWELRY AND ELECTRONICS, JAYS)	
JEWELRY REPAIR, D & C CONSTRUCTION,)	
TONYS COMMUNICATION ENTERPRISE,)	
WILLIAM PRYCE dba PRYCE)	
INCORPORATED, MOBILE ONE, AUTHOR)	
SOLOMON dba MOBILE ONE M&P, TECH)	
INNOVATIONS)	
)	
PA COMMUNICATIONS, LLC)	File No. 0001654377
)	
Application for New Private Land Mobile Radio)	
License)	

ORDER

Adopted: July 19, 2007

Released: July 20, 2007

By the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau:

1. We have before us two pleadings filed by Ralph Addington d/b/a/ Arcom Communications (Arcom). The first pleading is an “Informal Complaint, Motion for Revocation of Licenses, and Request for Investigation” (Informal Complaint),¹ alleging that Hughroy Thomas, Douglas Pompey² and Don Bridgeman, and various wireless communications businesses that they operate and control, have violated the Communications Act of 1934 (Act), as amended, and several Commission rules. Arcom specifically alleges in the Informal Complaint that the named individuals and companies have engaged in the unauthorized transfer of control of private land mobile radio (PLMR) station licenses, in violation of Section 310(d) of the Act;³ filed fraudulent applications using the name of a deceased person and made willful false statements before the Commission, in violation of the United States Criminal Code⁴ and Section 1.17 of the Commission’s Rules;⁵ engaged in unlicensed radio operations, in violation of Section

¹ Ralph Addington d/b/a Arcom Communications, Informal Complaint, Motion for Revocation of Licenses, and Request for Investigation (filed Dec. 1, 2003) (Informal Complaint).

² Although the Informal Complaint refers to a “Douglas Pompei,” it appears from the record that the identified individual spells his name Douglas Pompey.

³ See 47 U.S.C. § 310(d).

⁴ See 18 U.S.C. § 1001.

⁵ See 47 C.F.R. § 1.17.

301 of the Act;⁶ and obtained Commission licenses “under various alter-egos or ‘shell’ entities” for the purpose of evading the limits in Sections 90.35(e) and 90.187(e)⁷ of the Commission’s Rules on how many channels a single applicant may request.⁸ The second pleading is a “Petition to Dismiss or Deny (Informal Request)” (Petition) filed by Arcom on March 12, 2004, against the above-captioned application⁹ of PA Communications, LLC (PA Communications) for a new PLMR license.¹⁰ Arcom argues in the Petition that, *inter alia*, PA Communications was formerly Castillo Communications, LLC (Castillo), one of the licensees identified in the Informal Complaint, and that the wrongdoing allegedly committed by Castillo should therefore be imputed to PA Communications.¹¹ Arcom asserts that, as a consequence of the alleged misconduct, PA Communications lacks the requisite qualifications to be a Commission licensee, so its application should not be granted.¹² PA Communications filed an Opposition to the Petition (Opposition), stating that, although Douglas Pompey, a principal of PA Communications, was at one time general manager of Castillo, Arcom was incorrect to claim that Castillo and PA Communications were essentially the same company.¹³

2. The Informal Complaint was referred to the Commission’s Enforcement Bureau, which initiated an investigation into Arcom’s allegations.¹⁴ The Enforcement Bureau determined that Hughroy Thomas and other entities identified in the Informal Complaint had engaged in an unauthorized transfer of control of Castillo’s license for PLMR Station WPXM421 through misleading filings, in violation of both Section 310(d) of the Act and Section 1.17 of the Commission’s Rules.¹⁵ Based on these findings, the Enforcement Bureau admonished the culpable parties, and warned that future misconduct “may result in the imposition of monetary sanctions or license revocation proceedings.”¹⁶ The Enforcement Bureau also found that “the record does not support other allegations in the [Informal] Complaint,”¹⁷ and that “there is

⁶ See 47 U.S.C. § 301.

⁷ See 47 C.F.R. §§ 90.35(e), 90.187(e).

⁸ See Informal Complaint at 3-4.

⁹ FCC File No. 0001654377 (filed Mar. 12, 2004, amended June 1 and July 1, 2004).

¹⁰ Ralph Addington d/b/a Arcom Communications, Petition to Dismiss or Deny (Informal Request) (filed Apr. 22, 2004) (Petition).

¹¹ *Id.* at 4. Subsequently, Arcom filed another “Petition to Dismiss or Deny (Informal Request)” making the same assertions with respect to another PA Communications application, FCC File No. 0001951889 (filed Aug. 25, 2004, amended Jan. 13, 2005), and asked that the petition also be associated with application FCC File No. 0001654377. Application FCC File No. 0001951889 was dismissed on January 29, 2005, after the applicant failed to respond to a Commission request to correct the listed tower registration number. See Dismissal Letter, Ref. No. 3288099 (Jan. 31, 2005). Consequently, the second petition was dismissed as moot. See Letter, dated Mar. 21, 2005, from Scot Stone, Deputy Chief, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau, to Ralph Addington d/b/a Arcom Communications.

¹² See Petition at 1.

¹³ PA Communications, LLC, Opposition to Petition to Dismiss or Deny (filed May 10, 2004).

¹⁴ Enforcement Bureau Investigation No. EB-04-IH-0282.

¹⁵ See Letter, dated Mar. 1, 2007, from Hilary S. DeNigro, Chief, Investigations and Hearings Division, Enforcement Bureau, to Hughroy Thomas, Bronx Communications (EB Letter). The Enforcement Bureau found, *inter alia*, that four amendments to a pending Castillo application had been filed under the name of one Gene Harvey after Harvey had died. *Id.* at 2. Although the EB Letter assigns culpability to Hughroy Thomas “and other Defendants,” it does not specifically name Douglas Pompey, PA Communications, or any other specific entity as being involved in those violations.

¹⁶ *Id.* at 3.

¹⁷ *Id.* at 1.

insufficient support in the record to find violations of the Act and the Commission's rules in regard to those allegations."¹⁸

3. Based on the foregoing, in particular the Enforcement Bureau's determination that no further action with respect to the allegations in the Informal Complaint was supported by the record of its investigation, we conclude that no further action should be taken in response to the Informal Complaint, and that the Petition does not provide a basis for denying the above-captioned PA Communications application.¹⁹ We therefore deny the Informal Complaint insofar as it seeks revocation of licenses,²⁰ and we also deny the Petition.

4. ACCORDINGLY, IT IS ORDERED that, pursuant to Sections 4(i) and 312 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 312, and Sections 1.41 and 1.91 of the Commission's Rules, 47 C.F.R. §§ 1.41, 1.91, the Informal Complaint, Motion for Revocation of Licenses, and Request for Investigation filed by Ralph Addington d/b/a Arcom Communications on December 1, 2003, IS DENIED IN PART as set forth above.

5. IT IS FURTHER ORDERED that, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 1.41 of the Commission's Rules, 47 C.F.R. § 1.41, the Petition to Dismiss or Deny (Informal Request) filed by Ralph Addington d/b/a Arcom Communications on November 22, 2004, IS DENIED.

6. IT IS FURTHER ORDERED that, pursuant to Sections 4(i) and 309 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 309, the application for a new private land mobile radio license filed by PA Communications, LLC, on March 12, 2004, as amended, FCC File No. 0001654377, SHALL BE PROCESSED consistent with this *Order* and the Commission's Rules.

7. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau

¹⁸ *Id.* at 3.

¹⁹ See Castillo Communications, *Order*, 18 FCC Rcd 3463, 3644 ¶ 4 (WTB PSPWD 2003) (denying petitions to deny after Enforcement Bureau concluded that no enforcement action was warranted by the allegations); Bronx Communications, *Order*, 17 FCC Rcd 24532, 24533 ¶ 3 (WTB PSPWD 2002) (same); VI Mobile Communication, *Order*, 17 FCC Rcd 22187, 22188 ¶ 3 (WTB CWD 2002) (same).

²⁰ We note that the Informal Complaint already has been granted in part, insofar as it sought initiation of an investigation.